

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS,
FORT WORTH DIVISION**

CHERYL HURD, M.D.,

Plaintiff,

V.

**TARRANT COUNTY HOSPITAL
DISTRICT d/b/a JPS HEALTH
NETWORK AND JOHN PETER
SMITH HOSPITAL, et al.,**

Defendants.

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CIVIL ACTION NO. 4:22-cv-00388

PLAINTIFF'S WITNESS LIST

COMES NOW CHERYL HURD, M.D., Plaintiff in the above cause, and files this her
Witness List.

Name [Alphabetical, by Last Name] – Witness Category (Time Est.)	Sworn	Testified
<p>Allred, Mary Jane – Possible Adverse Fact Witness (0.25 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Executive assistant to Dr. Podawiltz and participant in Zoom meeting who announced Plaintiff’s demotion and replacement. <i>Not Deposed</i></p>		
<p>Becker, Brian – Probable Adverse Fact Witness (1.0 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel President and CEO of Acclaim who attended 3/18/2022 demotion meeting and participated in demotion and HR process. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Deposed</i></p>		
<p>DeMoss, Dustin – Probable Adverse Fact Witness (1.0 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Current JPS Psychiatry Residency Program Director and Vice Chair of Education; was in Cabo San Lucas on 3/18/2022 but attended meetings by phone. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Deposed</i></p>		

Name [Alphabetical, by Last Name] – Witness Category (Time Est.)	Sworn	Testified
Durand, Julie – Probable Adverse Fact Witness (0.5 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Individual with knowledge of claims at issue and HR complaints, as well as Defendant’s investigation. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Elkins, Emily – Probable Adverse Fact Witness (0.5 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Individual with knowledge of claims at issue and HR complaints, as well as Defendant’s investigation. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Elliot, Tricia – Probable Adverse Fact Witness (0.5 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Senior Vice President for Academic Affairs, Chief Academic Officer, and Designated Institute Official (DIO) for JPS; Plaintiff called her when demoted to see what review she could get and she told Plaintiff that this was department chair decision only and that Plaintiff had no recourse or review and that, as CIO, she had no say or ability to review; previously selected Plaintiff for the Diversity, Equity and Inclusion Sub-Committee Chair, was formerly JPS Vice President of Medical Affairs. Knowledge of Plaintiff and his professional practice. <i>Deposed</i>		
George, Ben – Possible Adverse Fact Witness (0.25 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Was told (and repeated same) that he heard Plaintiff was removed for “hostile work environment.” Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Hurd, Cheryl – Probable Fact Witness (Plaintiff) (2.0 hours) c/o Christopher S. Ayres, Ayres Law Office, Plaintiff’s Counsel Dr. Hurd has knowledge of the relevant documents, contractual obligations, and communications between the parties, as well as the factual background surrounding the claims made and all matters relating to this suit. <i>Deposed</i>		

Name [Alphabetical, by Last Name] – Witness Category (Time Est.)	Sworn	Testified
Hurd, Howard – Probable Fact Witness for Plaintiff (Spouse) (0.5 hours) c/o Christopher S. Ayres, Ayres Law Office, Plaintiff’s Counsel Plaintiff’s spouse with knowledge of her claims and damages. <i>Not Deposed</i>		
Haliburton, James – Probable Adverse Fact Witness (0.75 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Following Plaintiff’s demotion, called Plaintiff narcissistic and unprofessional, and stated that Plaintiff made inappropriate and unprofessional comments to third parties. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Deposed</i>		
Huffines, Seth – Possible Adverse Fact Witness (0.25) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Psychiatry Residency, Academic Chief (4th year Psychiatry Resident) in charge of academic activities for the residents in the program. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Kashyap, Saurabh – Possible Adverse Fact Witness (0.25 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel A graduate of PS Psychiatry Residency Program with knowledge of claims at issue. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Keene, Jennifer – Possible Adverse Fact Witness (0.25 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Executive assistant for Psychiatry Residency Program, inquired as to what happened to Plaintiff in early May 2022. <i>Not Deposed</i>		
Kleinman, Brandi – Probable Expert Witness for Plaintiff (1.25 hours) c/o Christopher S. Ayres, Ayres Law Office, Plaintiff’s Counsel Expert who provided assessment and opinions as to the economic losses suffered by Dr. Hurd. That includes back pay, front pay, benefits, other losses, associated reputational injury, and economic factors concerning employability in Dr. Hurd’s field and the associated marketplace. Ms. Kleinman’s Rule 26 report sets forth her opinions and all bases. <i>Deposed</i>		

Name [Alphabetical, by Last Name] – Witness Category (Time Est.)	Sworn	Testified
Miles, Ed – Possible Adverse Fact Witness (0.25) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Psychology Division Director, who was put on a remediation plan for sexual harassment and completed it, still employed by JPS and Acclaim and in his leadership position. <i>Not Deposed</i>		
Morgan, Teresa – Probable Adverse Fact Witness (0.5 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Works at JPS human resources, investigated Plaintiff’s comments, and received Plaintiff’s written response; aware that no discipline or action taken by JPS and no further contact from her to Plaintiff after Plaintiff submitted her response. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Mutinda, Glenda – Possible Adverse Fact Witness (0.25) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Well-Being Director, Department of Academic Affairs, helped to support residents when Plaintiff was demoted. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Mummert, Diane – Possible Adverse Fact Witness (0.25) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Employee of Defendants who was put on a remediation plan for deficiencies in the recent past. <i>Not Deposed</i>		
Oliphant, Nekesha – Probable Adverse Fact Witness (0.75 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Vice Chair for In-patient Psychology; it has been alleged that Plaintiff made inappropriate comments about her. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. Knowledge of communications with Defendants about or concerning Plaintiff. <i>Not Deposed</i>		

Name [Alphabetical, by Last Name] – Witness Category (Time Est.)	Sworn	Testified
Palmer, Dena – Possible Adverse Fact Witness (0.25) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Service Line Administrator, and Executive Administrator for the Department of Psychiatry at Acclaim and JPS, who works in JPS human resources department and attended 3/18/2022 demotion meeting and participated in demotion decision. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Podawiltz, Alan – Probable Adverse Fact Witness (1.75 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel JPS Psychiatry Department Chair and Plaintiff’s direct supervisor responsible for demotion decision and replacement decision, led 3/18/2022 demotion meeting, as well as meetings after regarding Plaintiff’s continuing performance. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Deposed</i>		
Portacci, Adam – Possible Expert Witness for Plaintiff (0.5 hours) c/o Christopher S. Ayres, Ayres Law Office, Plaintiff’s Counsel Expert who provided assessment and opinions as to the economic losses suffered by Dr. Hurd. That includes back pay, front pay, benefits, other losses, associated reputational injury, and economic factors concerning employability in Dr. Hurd’s field and the associated marketplace. Mr. Portacci’s Rule 26 report sets forth his opinions and all bases. <i>Not Deposed</i>		
Prachyl, Diana – Possible Adverse Fact Witness (0.25) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel The complaint made against Dr. Hurd arising out of the Dec. 8, 2021 Zoom call referenced in the Amended Complaint. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		
Singer, Diana – Possible Adverse Fact Witness (0.25 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel PS Graduate Medical Education Executive Director, Academic Affairs, she has knowledge of claims at issue. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		

Name [Alphabetical, by Last Name] – Witness Category (Time Est.)	Sworn	Testified
Walker, Daphne – Possible Adverse Fact Witness (0.25 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Defendants’ counsel who has knowledge of communications about Plaintiff post-demotion. <i>Not Deposed</i>		
Whiting, Whitney – Probable Adverse Fact Witness (0.33 hours) c/o Jordan M. Parker, Cantey Hanger LLP, Defendants’ Counsel Resident who was present when Dr. Haliburton called Plaintiff narcissistic and unprofessional. Knowledge of Plaintiff and his professional practice, including communications with Plaintiff. <i>Not Deposed</i>		

Plaintiff reserves the right to cross-examine all witnesses that Defendants may be permitted to call in their case in chief. Plaintiff likewise reserves the right to supplement and call by deposition any witness who becomes unavailable to attend trial, in person.

Respectfully submitted,

AYRES LAW OFFICE, P.C.

By: /s/ Christopher S. Ayres

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, a true and correct copy of the foregoing pleading was forwarded to all registered counsel via the Court's electronic filing system on the date and time of its submission.

/s/ Christopher S. Ayres
CHRISTOPHER S. AYRES